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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/081,058

02/22/2002

Georges F. Elias

PW 277448

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27496

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05/06/2005

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EXAMINER

TRAN, TUAN A

ART UNIT

PAPER NUMBER

2682

DATE MAILED: 05/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/081,058	Applicant(s) ELIAS ET AL.	
	Examiner Tuan A Tran	Art Unit 2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-34 and 36-55 is/are rejected.
- 7) ☒ Claim(s) 10 and 35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>02/22/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-4, 6-9, 12-20, 23-28, 30-34, 37-44, 48-49 and 54-55 are rejected under 35 U.S.C. 102(e) as being anticipated by Morgan et al. (2004/0058705).

Regarding claims 25-26, Morgan discloses a wireless communication apparatus for transmitting information to and receiving information from a remote computer 317-319 over a communication network 316 (cellular network) (See figs. 1 and 3), the wireless communication apparatus comprising: a cellular telephone 100 having: an antenna, a device processor 104, an outer device casing, a communication port 107, an output device 101, 105 (See figs. 1-2); and an attachment 200, removably coupled to the cellular telephone 100, having: an attachment processor 205, a first input device 208, a connector 201, an outer attachment casing (See figs. 1-2), wherein the connector 201 mates with the communication port 107 when the attachment 200 is coupled to the cellular telephone 100 and the attachment processor 205 is configured to communicate signals to the antenna without the signals being received by the device processor 104

when the attachment 200 is coupled to the cellular telephone 100 (See figs. 2-3 and page 5-6 [0063-0085]).

Claims 1-2 are rejected for the same reasons as set forth in claims 25-26.

Regarding claims 27-28 and 30, Morgan discloses as cited in claim 25. Morgan further discloses the first input device is a magnetic strip reader, the magnetic strip reader having: a slot 215 extending from a first opening in the outer casing of the attachment 200 to a second opening in the outer casing of the attachment 200, wherein the slot 215 is substantially parallel to a side surface of the outer casing of the cellular telephone; a reader head 208, 209 wherein the reader head forms a portion of a side wall of the slot 215 (See fig. 10 and page 7 [0094]).

Claims 3-4 and 6 are rejected for the same reasons as set forth in claims 27-28 and 30.

Regarding claims 32-33, Morgan discloses as cited in claim 25. Morgan further discloses the attachment processor 205 adapted to process input information received from the first input device 208 to generate attachment-processed data to send to the antenna for transmission to the remote computer 317-319, wherein the attachment-processed data is generated by encrypting the input information (See fig. 3 and page 5 [0070], [0075]).

Claims 7-8 are rejected for the same reasons as set forth in claims 32-33.

Regarding claim 34, Morgan discloses as cited in claim 25. Morgan further discloses the device processor 104, the antenna, the communication port 107 and the

attachment processor 205 are connected by a logical bus (See fig. 2 and page 4 [0058-0061]).

Claim 9 is rejected for the same reasons as set forth in claim 34.

Regarding claims 37-38, Morgan discloses as cited in claim 25, Morgan further discloses a selectively engageable latching mechanism and a release mechanism that may be activated to detach the attachment 200 from the cellular telephone 100, wherein the release mechanism is a release button 216 that may be pressed to disengage the latching mechanism (See fig. 10 and page 7 [0094]).

Claims 12-13 are rejected for the same reasons as set forth in claims 37-38.

Regarding claims 31 and 39-40, Morgan discloses as cited in claim 27, Morgan further discloses the attachment 200 further includes a smart card reader 210 (See fig. 2), wherein the attachment 200 includes a slot 215 having a shallow channel portion through which a portion of a card bearing a magnetic stripe may be swiped (See figs 2 and 10) and a slot having 214 a deeper channel portion of sufficient depth to permit a card bearing a smart chip to be inserted into the slot 214 (See figs. 2, 5 and page 4-5 [0062-0064]).

Claims 14-16 are rejected for the same reasons as set forth in claims 31 and 39-40.

Regarding claim 41, Morgan discloses as cited in claim 39, Morgan further discloses the processor 205 adapted to process input information received from the first input device 208 in a first manner and from the second input device 210 in a different second manner, such that the remote computer 317-319 to which the processed data

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from the attachment processor 205 is sent can determine whether the attachment processor 205 received the input information from the first or second input devices (See page 9 [0119] and page 10 [0135]).

Claim 17 is rejected for the same reasons as set forth in claim 41.

Regarding claim 42, Morgan discloses as cited in claim 25, Morgan further discloses the outer casing of the attachment 200 having a recessed portion conforming to a surface of the outer casing of the cellular telephone 100 (See fig. 10).

Claim 18 is rejected for the same reasons as set forth in claim 42.

Regarding claims 43-44, Morgan discloses as cited in claim 25, Morgan further discloses the attachment 200 including attachment memory encoded with instructions to be executed by the attachment processor 205, wherein the attachment processor 205 begins executing the instructions when input information is received at the input device (See page 5 [0063-0065]).

Claims 19-20 are rejected for the same reasons as set forth in claims 43-44.

Regarding claims 48-49, Morgan discloses as cited in claims 25. Morgan further discloses the device processor 104 establish a communication link with the remote computer 317-319 using the antenna, wherein the attachment processor 205 receives input information from the first input device 208, processes the input information to generate attachment-processed data and sends the attachment-processed data to the remote computer 317-319 using the antenna over the communication link (See fig. 3 and page 6 [0075], page 7 [0097]).

Regarding claim 54, Morgan discloses as cited in claim 25, Morgan further discloses a first communication link established between the attachment 200 and the remote computer 317-319 over a communication network is separate from a second communication link (regular phone call to PSTN network) established between the cellular telephone and the remote computer 317 (See fig. 3 and page 6 [0075]).

Claim 23 is rejected for the same reasons as set forth in claim 54.

Regarding claim 55, Morgan discloses as cited in claim 25. Morgan further discloses a first application (regular cellular telephone function) being executed by the device processor 104 is suspended while a second application (secure point-of-sale function) is executed by the device processor 104 (See Abstract).

Claim 24 is rejected for the same reasons as set forth in claim 55.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 5 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. (2004/0058705) in view of In re Japikse, 86 USPQ 70 (CCPA 1950).

Regarding claims 5 and 29, Morgan discloses as cited in claims 4 and 28.

However, Morgan does not mention that the slot is substantially parallel to a bottom

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surface of the outer casing of the cellular telephone. Since the merely change of the position of the slot does not produce any new and/or unexpected result (See *In re Japikse*, 86 USPQ 70 (CCPA 1950)) and can be determined based on the designer's preference/choice; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to change the position of the slot to a position that is substantially parallel to the bottom surface of the outer casing of the cellular telephone in order to accommodate the designer's intention.

3. Claims 11, 36 and 50-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. (2004/0058705).

Regarding claims 11 and 36, Morgan discloses as cited in claims 1 and 25. However, Morgan does not explicitly mention that the connector 207 is an RS-232 connector. Since RS-232 connector is very common in the art as a serial data port, therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use RS-232 connector for the advantage of expanding the capability of the device to various types of data connectors.

Regarding claims 50-51, Morgan discloses as cited in claim 25. However, Morgan does not mention that the device processor or the attachment processor executes JAVA software application or WAP software application. Since JAVA and WAP software applications are well known in the art; therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the device processor or the attachment processor to execute the JAVA or WAP

software application for the advantage of expanding the capability of the device to the Bluetooth-enabled environment as well as to various types of program compilers.

4. Claims 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. (2004/0058705) in view of Taylor et al. (2002/0025796).

Regarding claims 45-47, Morgan discloses as cited in claim 25. However, Morgan does not mention that the device processor is adapted to instruct a user to provide input information using the first input device (card reader) by displaying a message (visual) or playing a recorded audio message (audible). Since instruction(s) is known to be given visually or audibly and Taylor teaches a cellular telephone coupled with a card reader for conducting wireless financial transactions (See fig. 1), wherein a user is visually instructed (by a display) to provide input information through the card reader by the processor of the cellular telephone (see fig. 1 and page 2 [0019]); therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the Taylor's teachings in configuring the device processor to instruct the user to provide input information either visually or audibly in order to timely/correctly gather user information for conducting financial transactions.

5. Claims 21-22 and 52-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. (2004/0058705) in view of Neifer (2003/0211863).

Regarding claims 52-53, Morgan discloses as cited in claim 25. However, Morgan does not mention that the attachment includes a data port for receiving and transmitting Bluetooth signals independent of the antenna. Neifer teaches a card reader 12 attached to a mobile telephone 10, wherein the card reader 12 having a data port 16 for receiving and transmitting Bluetooth signals independent of the antenna of the mobile phone 10. Since both Morgan and Neifer disclose card reader attached to the mobile telephone; therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the teaching of Neifer in modifying the attachment as disclosed by Morgan with a data port for the advantage of expanding the capability of the device to various types of communication protocols.

Claims 21-22 are rejected for the same reasons as set forth in claims 52-53.

Allowable Subject Matter

6. Claims 10 and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 10 and 35, Morgan discloses as cited in claims 9 and 34. However, Morgan does not mention that the device processor, the communication port and the attachment processor have unique bus addresses, and a message received by the antenna includes information identifying the bus address of the intended recipient of the message.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tuan Tran** whose telephone number is **(571) 272-7858**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Vivian Chin**, can be reached at **(571) 272-7848**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

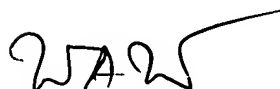
Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



Tuan Tran

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VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600
5/2/05

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